

**DEMOCRATIZE THE STRUCTURE
OF THE GOVERNMENT OF
DEKALB COUNTY**

By

**Dr. William C. "Bill" Brown
Former DeKalb County Commissioner
District 5
February 18, 2004**



Georgia State Senate

EMANUEL JONES

Senator, District 10

**302-B Legislative Office Building
18 Capitol Square, S.W.
Atlanta, Georgia 30334
Tel: (404) 656-0502
Fax: (404) 657-3217**

**P.O. Box 370244
Decatur, Georgia 30037
Tel: (770) 964-8888
Fax: (770) 964-7162
www.emanueljones.com**

E-mail: emanj@mindspring.com

INTRODUCTION

PURPOSE

The purpose of this epistle is to (1) set forth an assortment of incontestable facts that undergird and validate the idea that the structure of the government of DeKalb County, Georgia, needs to be restyled; and (2) provide those DeKalb County citizens who want the structure of the County's government to be changed with authentic background information upon which to anchor their argument.

Let it be clearly and unequivocally understood that this oracle is absolutely not intended, in the least way, to criticize, condemn or cast aspersions on any Chief Executive Officer (CEO) of DeKalb County, past or present. Likewise, this communication is not designed to besmirch the reputation of any other public official of DeKalb County, past or present. Thus, the inalterable focus will be on governmental structure and the issues the structure raises, not on personalities. For instance, the indisputable facts recorded herein, and the issues they engender, would prevail no matter who, including the pope, occupies the office of the CEO in DeKalb County.

BACKGROUND

Having been a resident of DeKalb County since 1975, I was here when the current structure of DeKalb County's government was adopted, and I supported it for the following reasons:

- It was my opinion that the management and operation of DeKalb County's government was in dire need of stalwart direction and, perhaps, a centralized power structure would be required to achieve that goal at that time.
- The person who would initially command that power, Manuel Maloof, possessed the knowledge of, and skills in, county management that such an assignment would demand.
- Manuel Maloof neither needed nor wanted anything from the CEO's office, except good county government.
- Manuel's accomplishments in DeKalb County were well known; thus, he did not need undue media attention to heighten his visibility and importance.

When Manuel left office DeKalb County enjoyed, in my opinion, a county government that was efficiently managed and operated. This view has been corroborated by an article in the January, 2004, edition of the Atlanta Magazine.

Shortly after taking a seat on DeKalb County's Board of Commissioners on January 1, 1993, to represent District 5, I concluded, without a scintilla of doubt, that DeKalb County was no longer a rural, outpost community, as it had been in earlier years. Thus, it needed a new form of government to efficiently address changing developments and needs. For instance, housing construction, especially in District 5, which I represented,

was exploding, bringing in a plethora of new people--a vast array of ethnicities, backgrounds, expectations, customs, traditions and demands that were new to DeKalb County. For example, many of my new constituents had been accustomed to calling their city councilman or alderman or their county commissioner and getting their concerns addressed in a timely manner. In DeKalb County, commissioners must appeal to the CEO and/or the staff he/she commands to get assistance in responding to constituents' needs. Thus, it became blazingly clear to me that Commissioners were at the mercy of the CEO and the staff under his/her command to deliver services to Commissioners' constituents. For example, hordes of my constituents bought newly constructed houses that were poorly constructed and, often, with inadequately landscaped yards that lead to flooding yards. Volumes of complaints regarding these and related problems were registered with my office. In fact, at one point my office was bombarded with hostile complaints about a lack of, or inadequate, attention to their concerns. This was odiously troublesome to me, because I recognized their plight and empathized with them regarding it, but I did not govern a staff with which to respond nor did I have the authority to expedite a response through the County's staff under the administrative control of the CEO. Thus, I could only ask for help for my affected constituents and endure the abuse from some who did not understand or did not believe that I lacked the resources and authority required to relieve them of the wretched problems that plagued them.

As a result of the onerous experience chronicled above, as well as a spate of other equally disquieting problems, I decided, unchangeably, prior to the conclusion of the first year of my eight-years' tenure on DeKalb County's Board of Commissioners, that the structure of the County's government was in dire need of

restructuring, shifting sufficient power from the office of the CEO to the Board of Commissioners to empower Commissioners to expedite services to their constituents, set their meeting agenda, preside over Commission meetings, serve a checks-and-balance function regarding the day-to-day management and operation of the county, including the budget, etc. As a result of my frustration with a lack of authority to serve my constituents, as I believed they deserved to be served, in 1998 I wrote a paper, of which this paper is basically a replica, that I called a "manifesto" for changing the structure of the government of DeKalb County.

Recently, two county grand juries issued a similar call. Additionally, two journalists and some former constituents remembered my 1998 manifesto and asked for copies of it. Not having retained any copies, I was asked to rewrite it. Thus, this communication represents my efforts, with two exceptions, to recapitulate my aforementioned manifesto of 1998. The two exceptions include references to two grand jury reports and minutes of the Board of Commissioners' meeting of June 10, 2003.

ORGANIZATIONAL ACT

In recent months, much has been verbalized and written regarding the structure of the government of DeKalb County, Georgia. However, except for the September-October, 2003, DeKalb County Grand Jury report, the document that governs the management and operation of DeKalb County has been conspicuously ignored. That document goes under the nomenclature of "Organizational Act," hereafter referenced to as (O.A.) and Code of DeKalb County, hereafter recognized as (CODC).

To explore, factually, the legal management and operational ordinances, policies and procedures of DeKalb County, and the lack thereof, and to illustrate the effusive authority and power the O.A. concentrates in the office of the Chief Executive Officer (CEO), as compared with the paucity of power vested in the Board of Commissioners, selected facts recorded in the "O.A." and other authentic documents will be examined, presented and commented on, as appropriate. Additionally, my eight years as a DeKalb County Commissioner will be drawn upon.

DOCUMENTED FACTS AND COMMENTS ON THOSE FACTS

OFFICE OF CHIEF EXECUTIVE OFFICER

Fact 1:

Part A: Section 13, Item (a) of the O.A.: It reads as follows:

"The Chief Executive shall have the exclusive power to supervise, direct and control the administration of the county government."

Part B: In reference to "Part A" above, it should be noted that the definition of exclusive includes, among others, the following meanings: dictator, czar, absolute, complete.

undivided, unquestioned, etc. In this connection, since supervising, directing and controlling are day-to-day management and operation functions, by definition, as well as practice, the structure of DeKalb County's government, as it pertains to day-to-day management and operation, is in effect a dictator/czarist model.

Part C: It is a fact that the O.A. does not speak, at all, to a governmental mechanism that might be employed by the Board of Commissioners, or any other individual or group, to effectuate a checks-and-balance function regarding the CEO's day-to-day management and operation of the government of DeKalb County. Thus, on this score, it is a fact that the CEO is not subject to the scrutiny of any governmental organ relative to the day-to-day management and operation of county government. However, if solicited or warranted, the courts and state legislature are believed to be empowered to act.

Fact II:

Part A: Section 13, Item (f) of the O.A.: This item notes:

“The Chief Executive may compel the attendance of members at meetings of the Commission by subpoena, when deemed necessary, subject to the policy of the Commission as established by its rules.”

Part B: In regards to Part A, the O.A. is mute relative to action the Commission might exercise should the CEO refuse to attend regular second and fourth Tuesday meetings or a call meeting initiated by commissioners. **This, of course, further illustrates, clearly, the czarist footing of the office of the CEO in DeKalb County, and the lack of authority the Commission commands.**

Part C: In light of Part B above, it should be recognized that Section 12 of the O.A. grants the presiding officer or any four (4) commissioners the privilege to call a meeting.

in addition to the regular meeting, that they deem necessary. This engenders another pertinent question which the O.A. does not address. That is, if the CEO refuses to honor decisions made by the Commission in a legal meeting which the CEO could have but did not attend, what options would be available to the Commission to enforce those decisions, and how? As the O.A. now stands, it appears that the CEO's actions would prevail; thus, the Commissions' decisions would be of no consequence.

Fact III:

Part A: Section 13, Item (a) of the O.A.: This section states, in part, that

“the Chief Executive Officer shall carry out, execute and enforce all ordinances, policies, rules and regulations of the Commission when such ordinances, rules and regulations become effective.”

Part B: The O.A., as it relates to Part A above, is completely silent relative to what official action can be taken and who might take that action should the CEO ignore or refuse to enforce any ordinance, policy, rule or regulation established by the Commission. Again, this illustrates the fact that, short of the courts and state legislature, the office of the CEO in DeKalb County is immune to formal action--corrective, punitive or otherwise--relative to violations of any type in connection with day-to-day management and operation of the County government. This further exemplifies the dictator/czarist power of the office of the CEO in DeKalb County's government.

Fact IV:

Part A: Section 17, paragraph one (1) of the O.A.: This section specifies that the CEO must submit to the Commission, not later than December 15, of each year, "...a proposed budget governing the expenditures of all county funds,...for the following calendar year."

Part B: In paragraph two of this section of the O.A., the Commission is vested with the authority to conduct public hearings to review the proposed budget, and it is privileged to make such amendments to the proposed budget as it deems appropriate and necessary to maintain the county in sound financial condition. However, not later than March 1 of the year to which a proposed budget pertains, the Commission must approve it as presented or as amended. After approving the budget, the Commission may amend it during the calendar year which it covers, but shall not increase the appropriations without making provision for financing them.

Part C: Following the adoption of a budget, except for amending it as described above, under Part B of this section, the O.A. does not assign the Commission further control over, nor involvement in, managing the budget. This means, in effect, that the CEO has complete and unquestioned control, carte blanche, of the management of the budget (dictator/czar power).

Part D: Paragraph three (3) of this section of the O.A. requires the CEO to transmit a copy of the adopted budget to the Grand Jury of DeKalb County Superior Court, then in session, within ten (10) days after its adoption. It is important to note that a grand jury's authority regarding the County's budget is limited to raising questions about it with the CEO and Commissioners and making recommendations that the CEO may, or may not, consider. Thus, like the Commission, a grand jury is powerless with respect to

bringing about changes and/or improvements in the management of county finances or other affairs. Thus, according to the structure of DeKalb County's government, as set forth in the O.A., managing the county's budget is, basically, the domain of the office of the CEO, relatively free from formal scrutiny by any governmental body authorized by the O.A. to serve an oversight function.

Fact V:

Part A: Section 13, Item (a): This section of the O.A. reads, in part:

"Members of the Commission shall deal solely through the Chief Executive or his executive assistance (sic) assistant in all matters concerning the operation, supervision, and administration of the various departments, offices and agencies of county government."

Part B:

"No member of the Commission shall directly or indirectly order, instruct or otherwise attempt to control the actions or county personnel subject to administrative and supervisory control of the Chief Executive."

Part C:

"Nothing herein shall be construed to preclude any Commissioner from seeking information necessary to the establishment of policy from any person, including any employee of DeKalb County."

Part D: While Part A and Part B above appear, indeed, to be appropriate, Part C leaves much to be desired, as it places Commissioners at the benevolent mercy of the CEO and the staff he/she commands. For instance, according to the O.A. as cited above under Part

C, Commissioners can only seek to gain information from staff to establish policy.

Strangely, the O.A. does not mention, much less set forth, an apparatus or mechanism in county government that Commissioners might use to oblige staff to deliver information Commissioners request: in a timely manner, in the form requested and in complete form. This means, of course, that only the CEO can require staff to respond to the Commissioners' request for information. It also means that if the CEO decides not to release information a Commissioner requested, there is not one word in the O.A. that empowers Commissioners to seek redress.

Again, it should be emphasized that the authority the O.A. grants to Commissioners to seek information from employees is restricted to "...seeking information necessary to the establishment of policy...". Thus, while Commissioners might seek information for other reasons, such as to render service to their constituents, as I did, the O.A. does not grant commissioners the constitutional authority to do so. Such action, then, as it was in my case, was taken as an eleemosynary privilege granted by the CEO. In my opinion, the O.A. should grant such a privilege as a constitutional right. This, once more, calls to attention the inordinate measure of power the O.A. apportions to the office of the CEO, as compared with the mega volume of authority it consigned to the Board of Commissioners. Hence, this fact further demonstrates that the office of the CEO in DeKalb County, by its structure and definition, has all of the markings of a dictator/czarist style of government.

Fact VI:

Part A: Section 11, Item (a) of the O.A.: It is clearly averred in this section of the O.A.

that:

“The Chief Executive may, at such officer’s discretion, preside at any regular or specially called meeting of the Commission...”

To date, each CEO (three) has opted to preside over Commission meetings and prepare an agenda for Commission meetings, yet the CEO is not a member of the Commission. Thus, this policy and practice constitute a blatant violation of the principle of separation of power between the executive (CEO) and the legislative (Commission) branches of government. Additionally, empowering the CEO to set the agenda for and preside over Commission meetings enables the executive branch of government to virtually dwarf the legislative branch of government by controlling the legislative branch’s meetings.

Part B: Of the 158 other counties in Georgia, none has a governmental structure, such as DeKalb, that co-mingles executive and legislative authority, with the executive reigning dominant. To be sure, such a governmental structure robs serious minded commissioners of their dignity as elected officials, as it virtually reduces them, I believe, to the status of sycophants to the CEO in their own meetings. This, I proffer, should not be acceptable to citizens who elected commissioners to represent them and respond to their interests and needs and help to foster a balanced government.

Fact VII:

Section 9, Items (a) – (c): In this part of the O.A., nineteen (19) functions are set forth that define the authority and power of the seven (7) DeKalb County Commissioners. None of the nineteen (19) functions relate, remotely, to the day-to-day management and operation of the county – providing services to citizens, enforcing County codes, managing the budget, etc.¹ As stated earlier, these functions are a part of the **“exclusive”** domain of the CEO. **Therefore, the Commissioners, individually and collectively, according to the O.A., lack authority to formally monitor and call the CEO into account regarding his or her day-to-day management and operation, no matter to what it relates nor how venal or nefarious it might be.**

Under the nineteen (19) aforementioned functions delegated to the Commissioners by the O.A., approving the annual budget, once per year, approving amendments to the budget, as needed, approving zoning and land use changes bi-monthly and prioritizing capital improvement projects are among the most significant powers assigned to the Commissioners. Yet, again, none relate to day-to-day management and operation of county government. It seems significant to note that the Commissioner's authority to prioritize capital improvement projects was validated by a DeKalb County Superior Court.

¹ It was documented under Fact IV, Part C, that the DeKalb County Commission does not have a role in the day-to-day management of the county's budget.

Comment

In light of the above facts, it is clear that anyone who seriously proffers that the DeKalb County Commission serves a formal or constitutionally empowered checks-and-balance function regarding the CEO's day-to-day management and operation of county government is dreadfully victimized by one or both of the following tendencies: ignominious hyperbole or premeditated prevarication.

Fact VIII:

Part A: Section 10. Item (a) of the O.A.: This section and item empowers the Commission to authorize the employment of

"...an independent auditing firm to serve as an outside auditor of the county's government to make an annual, continuous audit of all county finances and financial records."

Part B: Section B. Item (b) of the O.A.: This item asserts, in part, that

"...the auditor shall immediately inform the Commission in writing of any irregularities found in the management of county business by an officer or department of the county government."

Interestingly, no mention is made in the O.A. of legal action the Commission can exercise to address irregularities, if any, that are discovered by the external auditor. Clearly, this would suggest that the CEO is isolated from any action on the part of the Commission regarding irregularities, if any, in the management and operation of county business. Surely, this gives the appearance of dictator/czarist power.

Part C: In reference to the independent auditor's report, Item (c) of Section 10 of the O.A. affirms that the

“...auditor shall deliver a copy to each Commissioner, the Chief Executive and to the grand jury of DeKalb County Superior Court then in session.”

Part D: Since neither the Commission nor a grand jury is empowered with enforcement authority, receiving a copy of the auditor's report serves as an excellent source of information, but from the standpoint of using the report to effectuate improvements in fiscal management and the general conduct of the county's business, as appropriate, the report does not serve a useful purpose. **In fact, since neither the Commission nor a grand jury has enforcement power, the administration is excused from a legal and formal review by an established county government organ regarding its fiscal management practices. Consequently, a report of the sedulous work of a grand jury, as it relates to improving the management and operation of county government, represents nothing more than an assiduously executed exercise in total futility.**

Part E: Section 10, Item (d) authorizes the Commission to employ an internal auditor

“...to audit the various departments, agencies of the county government on a continuing basis.” “The internal auditor shall be employed by and serve at the pleasure of the Commission.”

Again, the O.A. does not assign the Commission authority to use the internal auditor's reports to effectuate improvements in the management of the county's fiscal affairs, should improvement be needed. Thus, the fiscal management practices of the administration (CEO's office) are protected from scrutiny by the Commission, or anyone

else in county government, regarding irregularities, if there are any, in the CEO's management and use of county funds. Too, the O.A. does not discuss granting the commission authority to sign contracts with anyone or any entity to provide services for DeKalb County. This suggests, then, that the office of the CEO would sign a contract with an internal auditor to serve the commission. It also denotes that the CEO, if he/she chooses, could prevent the Commission from employing an internal auditor by refusing to sign a contract with such an auditor. This constitutes another reflection of the dictator/czarist authority and power vested in the office of the CEO.

Comment:

Logic dictates that the quality of an internal audit depends, unequivocally, on the quality of cooperation the auditor is accorded by the County's Finance Department. In this connection, it should be understood that the Director of Finance reports directly to the CEO and thus, is under his/her command. The quality, then, of cooperation the internal auditor receives from the Finance Department is ultimately decided by the CEO. To be sure, the brilliance of a sagacious intellectual is not required to reach that conclusion.

Fact IX:

Part A: Experience dictates that under some circumstances DeKalb County's form of government lends itself to staff, if they choose to, stymieing initiatives introduced by Commissioners. For instance, at one point during my eight years on the DeKalb County Board of Commissioners, complaints regarding poor housing construction – leaks, cracked foundations, flooding yards, etc. – had become so voluminous that I proposed an

ordinance that would have required residential builders to be licensed to build houses in DeKalb County. The idea was to weed out builders who were building substandard houses.

Part B: The Development Department contended that it could not enforce the ordinance as it was originally drafted. Therefore, it was redrafted several times, only to meet with the same fate as the first draft. Finally, after the ordinance had been stripped of its substance to the point that it would not have served a useful purpose, it was accepted. However, according to the Development Department, the number of employees needed to enforce the ordinance, and their associated costs, made operationalizing it prohibitive. Unfortunately, neither I, individually, nor the Board of Commissioners, as a whole, had access to the staff or other required resources to verify or reject the Development Department's claims. Thus, after months of diligent and time-consuming work on the ordinance and believing, inalterably, that the ordinance was enforceable in a substantive model, it was dismissed.

Comment:

The above scenario, in my opinion, clearly demonstrates that a serious need exists for restructuring DeKalb County's form of government to empower Commissioners to exercise a more substantive role in serving citizens than the current form of county government allows. In this connection, it is averred that Commissioners need constitutional authority to address such issues, not benevolent privileges granted at the pleasure of the CEO. To be sure, when the CEO, or his/her pleasure changes, the

charitable privileges might very well be discarded. This, of course, does not lend itself to establishing and maintaining a citizen friendly government.

Fact X:

Paragraph one of page one of the minutes of the June 10, 2003, DeKalb County Board of Commissioners' meeting shows that the Commission increased "...the dollar limitation on contracts requiring the authorization of the Board of Commissioners from \$35,000.00 to \$100,000.00." Paragraph two of the aforementioned document argues that five (5) studies have recommended increasing the already noted dollar limits.

Additionally, it seems appropriate to note that it was within the scope of the Commissioners' authority to execute such action. However, it is a fact, also, that the action increased the already bloated concentration of power the O.A. places in the office of the CEO, regardless of whom the occupant might be. It, too, is a fact that the action reduced the Commissioners' ability to monitor the letting of contracts below \$100,000.00 by the amount of \$65,000.00

Fact XI:

Previous Efforts to Restructure County Government

During the '90's, I was not the only member of DeKalb County's Board of Commissioners who staunchly advocated restructuring DeKalb County's system of government. As a matter of fact, at one point during the '90's, six Commissioners, of which I was a part, signed a petition calling for a reconfiguration of County government. Unfortunately, efforts to gain the cooperation and support of DeKalb County's Legislative Delegation to act on the petition were not successful. Therefore,

the petition died. In this connection, it is important to highlight two factors:

- When the six Commissioners, referred to above, launched their quest for changing and democratizing DeKalb County's governmental structure, the CEO was not of African descent. Thus, the movement could not be construed as an effort to attenuate the power of an official of African descent. From my perspective, the objective then was, and the objective now should be, to put in place a form of government in DeKalb County that would clearly separate the powers of the executive and legislative branches of government, and establish a solid and clearly defined system of checks and balances by the Commission. Such a democratized form of government can more efficiently serve that purpose and, thus, the citizens than a dictator/czarist style of government. This is evidenced by the structure of the national government under which we live in the United States of America. There is absolute separation of power among the most fundamental institutions of our government--executive, legislative and judicial.
- The facts and opinions noted under the above item clearly denote that the call, by two recent grand juries, for changing the structure of DeKalb County's government was not a new or strange phenomenon.

Opinion

Based on my eight years of experience as a DeKalb County Commissioner, it is my inalterable opinion that among the most egregious flaws in the structure of DeKalb County's government is the Commission's two super districts. First, they assign two commissioners to serve the same group of citizens, which amounts to a needless

duplication of services. Second, if the single district commissioner and the super district commissioner are not in accord on an issue, confusion can emerge. This, of course, compromises the orderly delivery of services to their constituents. Third, the population of DeKalb County has grown to the extent that county citizens could be better served by seven single commission districts, rather than five single and two super districts. For instance, seven single districts would reduce, significantly, the volume of constituents each commissioner would be required to serve, and therefore might augment the quality of service rendered, very much like smaller numbers of students in a school classroom is believed to improve instruction.

CONCLUSIONS

1. A strong CEO presence in DeKalb County's government is appropriate. However, this can be realized in a democratized form of government without reducing commissioners to the role of toadies, in some instances, and at the mercy and whims of the CEO, whomever that might be.
2. The facts registered in this oracle clearly denote that a dire need exists to restructure the government of DeKalb County with a view toward contemporizing and democratizing the structure of county government, assuring shared authority, power and responsibility between the executive and legislative branches of government, as appropriate.
3. The facts recorded herein clearly indicate that the structure of the day-to-day management and operation of DeKalb County, for the most part, by far, is a dictator/czarist structure. Thus, at this modern day and time, it needs to be reviewed, with an outlook towards democratizing the day-to-day management and operation of DeKalb County's government and relieve the office of the CEO, regardless of who occupies the office, of absolute authority over the day-to-day management and operation of the county, with no constitutional checks and balances. In this connection, I am obliged to proffer that the paraphrased words of the heralded Greek philosopher, Socrates, are apropos here. He said, "The unexamined life is not worth living." Paraphrased, I say, "The unexamined government is not worth having." Finally, on this point regarding the absolute power of the office of the CEO, it behooves DeKalb countians to remember and heed the following words of Reinhold Niebuhr, one of the most distinguished theologians of the 20th Century, "Power

corrupts, and absolute power corrupts absolutely.” Therefore, at some point in the future there will likely be a CEO who will prove this adage to be correct.

Additionally, it seems obvious that President George W. Bush recognizes this fact, and it has impelled him to work to dismantle dictator/czarist styles of governments around the world and to replace them with governments undergirded by **democratic principles**. Yet, in his own country, DeKalb County, Georgia, for the most part, is managed and operated under a dictator/czarist governmental structure, no matter who is in the office of the CEO. This was studiously recognized by the DeKalb County Grand Jury of September-October, 2003. For instance, it clearly highlighted the fact that by granting the CEO the prerogative to set the agenda for and preside over Commission meetings, of which the CEO is not a member, crassly violates the principle of separation of power between the executive and legislative branches of government. Further, such a “modus operandi” usurps the authority of the Commission to plan and conduct its meetings free of interference by the executive branch of government

4. To ensure objectivity and to avoid cronyism in a governmental restructuring exercise, the restructuring mission should be assigned to a professional entity, well credentialed to produce efficacious results, such as the Carl Vinson Institute at the University of Georgia.
5. Those DeKalb County citizens who want a reconfiguration of the structure of DeKalb County’s government should stop complaining about the structure and use the facts recorded in this document, as well as others, and insist that the

County's legislative delegation take the necessary action to reform the structure of DeKalb County's government.

6. A new or revised governmental structure should be designed to democratize the government by including a mechanism that affords commissioners the authority to legally exercise a checks-and-balance function regarding the day-to-day management and operation of the county's government.
7. There should be a mechanism in the county's governmental structure that empowers the Commission to expedite services to their constituents when expedition is fitting and necessary.
8. Based on the facts included in this document and my experience as a DeKalb County Commissioner, eight years. I am obliged to conclude, unequivocally, that the day-to-day management and operation component of DeKalb County's government is antiquated and outdated and needs to be updated.

RECOMMENDATIONS

1. Restructure and democratize DeKalb County's government by clearly separating the authority and power of the executive branch from the authority and power of the legislative branch, and assign appropriate authority and power to each, commensurate with its responsibilities.
2. DeKalb County citizens who want a change in the structure of county government should urge, if not insist, that DeKalb County's legislative delegation take the necessary steps to bring appropriate restructuring to fruition. In this connection, citizens might consider insisting that 2004 candidates for election to the state legislature and DeKalb County Board of Commissioners declare their positions regarding the restructure issue.
3. As a restructuring plan is developed, county citizens should be privileged to review it periodically and share their views regarding the plan.
4. Empower the commission to develop the agenda for, and preside over, commission meetings.
5. In restructuring DeKalb County's government, include a checks and balances component for use, as needed, relative to the day-to-day management and operation of the County, including budget management.

CONCLUDING COMMENTS

1. Again, I emphasize, inalterably, that this missive is not intended to cast aspersions on any DeKalb County official, past or present. This stance is supported by the fact that, except for the references to the grand juries and minutes of June 10, 2003, commission meeting, this communication is virtually a carbon copy of the one that I wrote in 1998, at which time the current CEO and three to four of the sitting commissioners were not in office.
2. The facts set forth in this document would prevail irrespective as to who the elected county officials might be, at any given time.
3. If the facts set forth in this document motivate DeKalb County citizens to pursue bringing about needed changes in the structure of DeKalb County's government, I shall not enjoy any personal benefits, and do not want any. If it is not used to initiate changes, I shall not suffer any shame nor personal loss. However, in either case, I shall have, in my opinion, performed a needed civic service that was, by far, overdue.
4. I was asked by former constituents to author this epistle, and I am pleased to have accommodated them.
5. It seems to me to be unconscionable that DeKalb County citizens tolerate being taxed sufficiently to fund a county budget in excess of \$500 million without a governmental budget checks and balances system that extends

beyond the commission's approval of the budget and its approval of amendments there to. Our federal government has a budget management checks and balances system that is ongoing, no matter who is in the office of the President, and DeKalb County should not do any less, no matter who is in the office of the CEO. From my perspective, the structure of DeKalb County's current budget management system is reminiscent of a banana republic government, stupendous government power without a credible system of checks and balances.

6. As an American of African Descent, I am well aware, without an iota of doubt, that there might very well be individuals or groups whose myopic and parochial thinking and gargantuan propensity to play the race card will goad them to contend that the intent of this document is to snatch authority and power from people of African descent. To be sure, such an ignoble notion is so far removed from the unequivocal facts and, thus, indomitable truths tendered herein that it borders on lunacy, if not flatout idiocy. Additionally, since an appropriate shift in authority and power would augment the authority and power of the seven commissioners, a majority of whom, four, are of African descent, playing the race card will amount to imbecilic behavior.

REJOINDERS

I shall be pleased to entertain a rejoinder regarding any statement offered in this document as a FACT. However, I insist that any rejoinder be based on facts as set forth in the same sources from which the facts presented herein were drawn. I do not respect nor respond to jaded conjecture nor jejune rhetoric.